IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.1578 OF 2006

Shaikh A.Y.Patel ...Applicant.
V/s.
State of Maharashtra & Ors. ...Respondents.

Shri Ramesh Dube-Patil i/b Jay & Co. adv. for the Applicant.
Mrs.M.H.Mhatre, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 5th June, 2007.

P.C.:

1. Heard Mr. Dubey Patil the learned counsel for the applicant.

2. The applicant, who claims to be practising advocate, also claims to have purchased vehicle no.MH-04 BK 2959 from one Mr.Zubed through one Shakil Saudagar for valuable consideration of Rs.1,80,000/-. Later on, it was found to be a stolen property. It is registered with R.T.O. in the name of the respondent no.4. After the offence was detected, applicant surrendered vehicle to the police and now it has been seized by the Vashi police in connection with theft case registered there. By this application, the applicant seeks custody of the vehicle on such terms and conditions as may be found reasonable by this Court.

3. Admittedly, the vehicle belongs to the respondent no.4 and it is seized by the police because the said vehicle was stolen away and the stolen property was sold to the applicant. The applicant can not lay any claim on that vehicle. His remedy may be against the persons, who cheated him. Therefore, I find no substance in the present application nor a justification to return custody of the vehicle to the present applicant.

4. Application stands dismissed.

(J.H.Bhatia,J.)